

EXHIBIT A

Enson, Eric P.

From: Michael Ketchmark <mike@ketchmclaw.com>
Sent: Thursday, August 17, 2023 1:07 PM
To: Enson, Eric P.
Cc: Brandon J. B. Boulware; LeVee, Jeffrey A.; Hasdoo, Eddie; Ethan Glass; Samantha Strauss; Molo, Steven; Stacey Mahoney; Ken Kliebard; Weinstein, Lauren; Rob MacGill; Jay Varon; Timothy Ray; David Kully
Subject: Re: Burnett Trial - Witnesses

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Eric -

We cannot agree.

Mins

On Aug 16, 2023, at 3:52 PM, Enson, Eric P. <epenson@jonesday.com> wrote:

Mike and Brandon,

Defendants request that you withdraw the deposition designations for the following defense witnesses, all of whom Defendants expect will be appearing live at trial: (1) Nick Bailey; (2) David Liniger; (3) Rodney Gansho; (4) Bob Goldberg; (5) Dana Strandmo; (6) Rosalie Warner; and (7) Gino Blefari.

Defendants will permit Plaintiffs to call these witnesses in Plaintiffs' case, provided that Defendants are given the opportunity to do a full direct examination of these witnesses beyond the scope of Plaintiffs' cross examination immediately after Plaintiffs' cross and provided that Plaintiffs agree to provide Defendants with at least 5 business days' notice of when Plaintiffs wish to call any defense witness. We recognize the schedule may not be precise, but we need a general idea of when our witnesses will be called so that we can clear their calendars and schedule their arrivals in Kansas City. Furthermore, Defendants will agree that any direct testimony elicited by Defendants that goes beyond the scope of cross will count against Defendants' allotted time.

Happy to get on the phone to discuss. I have copied counsel for all of the Defendants. Thanks.

Eric

Eric P. Enson
JONES DAY® - One Firm WorldwideSM
Los Angeles +1.213.243.2304
San Francisco +1.415.963.6994

Mobile +1.310.503.1774

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